

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

DAREN KAREEM GADSDEN	:	
	:	
v.	:	CIVIL NO. CCB-15-1965
	:	Criminal No. CCB-11-0302
UNITED STATES OF AMERICA	:	
	:	
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**MEMORANDUM**

Federal prison inmate Daren Gadsden has filed a motion to vacate under 28 U.S.C. § 2255 challenging his convictions, by a jury, of bank fraud, identity theft, and related charges. Sentence was imposed by Judge William D. Quarles, who has now retired, and the convictions were upheld on appeal. *See United States v. Gadsden*, 616 F. App'x 539 (4th Cir. 2015). Gadsden's § 2255 claims are without merit, and his petition will be denied.

First, Gadsden's claim of prosecutorial misconduct, apparently based on the introduction of allegedly false documents, was waived and in any event is not supported by the record. Second, Judge Quarles did not violate Gadsden's Fifth Amendment rights, as the court's factual findings were supported by the trial record. Further, the government introduced evidence to show the applicability of federal insurance to the institutions involved. Finally, Gadsden has not shown that either his trial counsel or his appellate counsel rendered ineffective assistance of counsel; their performance was not deficient nor did the alleged deficiencies prejudice Gadsden's defense. *See Strickland v. Washington*, 466 U.S. 668, 687 (1984). As that is clear from the record, no affidavit from defense counsel is required to evaluate these claims.<sup>1</sup>

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<sup>1</sup> Gadsden's motion for interrogatories likewise will be denied.

Accordingly, Gadsden's motion will be dismissed by separate order which follows.

February 10, 2016  
Date

/S/  
Catherine C. Blake  
United States District Judge